



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Final Fiscal Note

Drafting Number:	LLS 21-0420	Date:	July 14, 2021
Prime Sponsors:	Rep. Hooton Sen. Ginal; Woodward	Bill Status:	Signed into Law
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Bill Topic: MOD TO REGULATIONS OF FACTORY-BUILT STRUCTURES

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill clarifies the jurisdictional authority of local and state governments concerning the regulation of factory built structures. It will minimally increase state workload in FY 2021-22.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the engrossed act.

Summary of Legislation

The bill clarifies the jurisdictional authority of local governments and the Division of Housing in the Department of Local Affairs (DOLA) to regulate the manufacture, installation and sale of factory-built structures. A local government may not duplicate efforts to review or approve a factory-built structure that is under review or approved by the division, nor may it charge separate building permit fees for plan reviews or inspections performed by the division. A local government may be authorized by the division to perform this work and collect fees.

The bill creates disclosure requirements for installers relating to financial instruments and installation contracts, and requires installers to contact the division if the installer is not able to strictly comply with a manufacturer's installation instructions.

State Revenue and Expenditures

The Division of Housing will have a minimal workload increase in FY 2021-22 to update rules and technical assistance related to factory built structures. This bill is not expected to affect fee amounts or cash funds revenue collected by the Division of Housing for this work and no change in appropriations is required.

Local Government

Some local governments may need to review local ordinance and building codes to ensure they align with state law. Local governments are precluded from charging fees and inspecting factory-built structures, but may be authorized by the Division of Housing to do so. Local governments that previously were doing this work but do not receive authorization from the Division of Housing will have a decrease in fee revenue and workload if they discontinue inspecting factory built structures.

Effective Date

The bill was signed into law by the Governor on May 10, 2021, and it takes effect September 7, 2021, assuming no referendum petition is signed.

State and Local Government Contacts

Counties	Information Technology	Law
Local Affairs	Municipalities	Personnel
Special Districts		